

of this Act and in addition thereto levy and collect a tax of one dollar on the one hundred dollar valuation, a special supplemental grant of State Aid shall be granted if it can be shown that the local maintenance tax of the district is insufficient to meet the minimum standard of local support as set up in this section. The minimum amount of support for any school is herein declared to be one hundred fifty dollars for each teacher employed in the school and if fifty cents of the local maintenance tax of one dollar levied upon the assessed valuation of the district does not yield an amount equal to the minimum standard herein set up, the district shall be entitled to such supplemental grant necessary to raise its local maintenance tax to the required standard.

Sec. 2. That Section 16, Chapter 14, of the general laws of the third called session to the 41st Legislature is hereby amended so as to read as follows: Any school district which has a valuation for school purposes of less than One Million (\$1,000,000.00 Dollars and which levies and collects a local tax of one dollars on the One Hundred Dollars valuation of property and which is maintaining a high school of more than fifty pupils shall receive from the appropriation herein made an additional amount for each resident high school pupil equal to the State per capita apportionment for the current scholastic year; provided that school districts which have high schools of fewer than fifty resident students classified above the seventh grade and which are located more than ten miles from a fully accredited high school or from a high school offering the same grades shall be eligible to receive this additional aid; provided further that high school aid authorized in this section shall apply to those districts only that are disqualified to receive aid under the provisions of this Act, or to those who elect to apply for aid under this section instead of Section 2, of Chapter 14.

Sec. 3. The fact that Section 16, as it exists at present is vague and indefinite as to those schools to whom it may apply and the further fact that aid under Section 16, of Chapter 14, of the General Laws of Texas,

41st Legislature, third called session, is denied to many schools who are desirous of applying for aid under this section, creates an emergency and an imperative public necessity which justifies the suspension of the constitutional rule requiring bills to be read on three separate days in each House and said rule is hereby suspended and this Act shall take effect from and after it is passed, and it is so enacted.

EIGHTEENTH DAY.

Senate Chamber,
Austin, Texas,

Monday, March 17, 1930.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem Williamson.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Absent—Excused.

Parrish. Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed withon motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Williamson:

S. B. No. 96, A bill to be entitled "An Act authorizing commissioners'

courts in counties in Texas having a population of at least 202,000 inhabitants and less than 210,000 inhabitants as shown by the Census of 1920, to levy a direct tax of not over five cents on the valuation of One Hundred Dollars for the purpose of advertising the cities of the county seats and counties, and providing that all such levy of taxes shall be submitted to the qualified taxpaying voters of the county and a majority vote to be necessary to levy the tax; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodul: (By request)

S. B. No. 97, A bill to be entitled "An Act defining mutual marriage aid associations; defining the law and manner under which such associations may operate; providing that such associations shall be subject to the existing laws regarding local mutual aid associations, except as to certain requirements; providing for the exemption of certain associations and societies from certain of the provisions of this Act; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Pollard:

S. B. No. 98, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Pollard:

S. B. No. 99, A bill to be entitled "An Act making appropriations out of the State Highway Fund to pay claims of certain persons, firms and corporations for money erroneously paid to the State Highway Fund for license fees on seating capacity of motor vehicles as provided by Article 820 of the Penal Code of Texas and Chapter 75 of the Acts of the Regular Session of the Thirty-eighth Legislature, authorizing the issuance of warrants for the payment of said claims upon the taking effect of this Act, providing that the provisions of Article 6694 of the Revised Civil Statutes of Texas with reference to the drawing of vouch-

ers by the Chairman of the Highway Commission shall not apply to the payment of claims provided by this Act, enacting regulations and restrictions relating to said appropriations, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator McFarlane:

S. B. No. 100, A bill to be entitled "An Act creating a Board for the leasing of State Parks for oil and/or gas; etc., and declaring an emergency."

By Senator Pollard:

S. B. No. 101, A bill to be entitled "An Act making appropriations out of the State Highway Fund to pay claims of certain persons, firms, and corporations for money erroneously paid to the State Highway Fund for license fees on seating capacity of motor vehicles; etc., and declaring an emergency."

Read first time and referred to Committee on Finance.

Senators Excused.

The following Senators were excused for the day on account of important business:

Senator Parrish on motion of Senator Hornsby.

Senator Stevenson on motion of Senator Moore.

Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives, Austin, Texas, March 17, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 86, A bill to be entitled "An Act amending Chapter 221, Regular Session of the Forty-first Legislature, regulating the taking and sale of the pelts of fur-bearing animals; providing for an open season for taking such pelts; providing for a trapper's license; providing for a tax on the pelts of fur-bearing animals taken for the purpose of sales, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bill:

S. B. No. 55, A bill to be entitled
"An Act to amend Section 84-a of
Chapter 25, of the General Laws
passed by the Thirty-ninth Legisla-
ture at its Regular Session in 1925,
as amended by Chapter 82, Acts of
the First Called Session of the
Forty-first Legislature, so as to au-
thorize such districts to declare an
emergency in certain cases and
under certain limitations and to is-
sue interim bonds in evidence of
such emergency loans, and to pledge
taxes and bonds of the district to se-
cure payment of such emergency
loans evidenced by such interim
bonds; and further to provide that
this Act, when adopted, shall apply
to Water Control and Improvement
Districts, Water Improvement Dis-
tricts, Levee Improvement Districts,
Drainage Districts, and all other dis-
tricts created under the provision of
the Section 59 of Article 16 of the
Constitution of the State of Texas,
and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has adopted the Free Conference
Committee Report on H. B. No. 6 by
a vote of 83 yeas, 17 nays, and 2
present and not voting.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bill:

H. B. No. 120, A bill to be entitled
"An Act amending Article 1206 of
Chapter 17, Title 28, Revised Civil
Statutes of the State of Texas of
1925, relating to condemnation of
property by cities for highway pur-

poses; providing for appointment of
commissioners, for award of dam-
ages for property taken or damaged;
providing for notices and hearings;
prescribing the powers and proce-
dure of such commissioners, fixing
their compensation; and providing
for filing and trial of oppositions to
reports of such commissioners; pro-
viding other incidental matters, and
declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bill:

H. B. No. 39, A bill to be entitled
"An Act to amend Section 28 of Ar-
ticle 2092 of the 1925 Revised Civil
Statutes of the State of Texas so as
to provide that all motions for a
new trial must be presented within
thirty (30) days after the original
motion has been filed, and must be
determined within forty-five (45)
days after said motion has been
filed, and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that Mr. Hub-
bard has been appointed to take
the place of Mr. Westbrook on the
Free Conference Committee on H. B.
No. 6.

Respectfully submitted,
LOUISE SNOW PHINNEY,

Hall of the House of Representatives,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has concurred in Senate Amend-
ments to H. B. No. 73 by a viva voce
vote.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives, Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 30, A bill to be entitled "An Act providing for the appointment or election and term of office of school trustees in all independent districts having fewer than 75,000 population by the Federal Census of 1920 and for all consolidated and rural high school districts; adjusting the term of office of trustees now in office; providing for filling of all vacancies; providing for the date of first election under this Act; repealing all laws both general and special in conflict herewith, and declaring an emergency."

H. B. No. 78, A bill to be entitled "An Act authorizing juries to be drawn, selected and empaneled in felony cases in counties other than the county where the case is pending where a jury cannot be secured alike fair and impartial in such county; authorizing the district judge to have juries to be drawn, selected and empaneled; authorizing the accused to be present when a jury is drawn and empaneled and waive his presence when same is drawn; authorizing the per diem and traveling expenses of the sheriff and jurors when ordered, and providing for the proper care and expenses of such jurors; repealing all laws in conflict, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Simple Resolution No. 24.

Senator Love sent up the following resolution:

Resolved: Amend Rule Seventy (70) by adding to the end thereof, the following:

(37) A Committee on Legislative Representation.

The Committee on Legislative Representation shall have the power to send for persons and papers and to summon and examine witnesses under oath, and it shall be its duty to make such examinations and investigations as it shall deem advisable, or as may be requested in writing by a Senator for the purpose of

ascertaining and informing the Senate of the facts pertinent to the employment or compensation or service or methods or conduct of any legislative representative, agent or attorney, or any person, firm or corporation, to influence legislation, including any contributions heretofore made by any such representative, agent or attorney or by any person, firm or corporation represented by them, to campaign funds in this State.

Said Committee shall hold open sessions, and from time to time shall report to the Senate the testimony of all witnesses examined by it and all sworn statements filed with its Chairman.

Love, McFarlane, Berkeley, Woodward, Neal, Thomason, Greer.

Read and referred to Committee on Rules.

Simple Resolution No. 25.

Senator Love sent up the following resolution:

Resolved: That it is the sense of the Senate that to levy a tax of seventy-five cents per ton on sulphur would be a proper adjustment of the differences existing between the House and Senate.

LOVE.

The resolution was read.

On motion of Senator Thomason the resolution was laid on the table subject to call.

Senate Bill No. 87.

The Chair laid before the Senate on its second reading the following bill:

By Senator Miller:

S. B. No. 87, A bill to be entitled "An Act designating the historical collection of the North Texas State Teachers College, consisting of books, documents, stamps, coins, fire arms, implements of warfare, relics, heirlooms and various and sundry other things and collections of historical importance, a state historical collection; authorizing the Board of Regents of said college to accept and receive gifts, donations and collections of all kinds having a historical value, to prescribe rules and regulations with respect to the same; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Miller the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 87 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Senate Bill No. 82.

The Chair laid before the Senate on its second reading the following bill:

By Senators Williamson and Pollard:

S. B. No. 82, A bill to be entitled "An Act to amend Section 1 of Chapter 10 of the Acts of the Third Called

Session of the Forty-first Legislature, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 82 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Senate Bills Nos. 93 and 95.

On motion of Senator Greer S. B. No. 93 and S. B. No. 95 were laid on the table subject to call.

Senate Bill No. 92.

The Chair laid before the Senate on its second reading the following bill:

By Senator Thomason:

S. B. No. 92, A bill to be entitled "An Act to subject to taxation for school purposes all land in Cherokee County, Texas, owned by the State of Texas and Prison Commission of Texas, except the land heretofore set aside for the Rusk State Hospital, but including the land heretofore set aside to the Agricultural & Mechanical College for re-forestation purposes; and declaring an emergency."

The bill was read second time and passed to engrossment by the following vote:

Yeas—18.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Patton.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Woodul.

Nays—4.

Hyer.	Miller.
McFarlane.	Moore.

Absent.

Cunningham.	Westbrook.
DeBerry.	Witt.
Greer.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

On motion of Senator Thomason the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 92 was put on its third reading and final passage by the following vote:

Yeas—24.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Patton.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Moore.	Woodward.

Nay—1.

Absent.

Cunningham.	Gainer.
DeBerry.	

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—21.

Beck.	Parr.
Berkeley.	Patton.
Cousins.	Russek.
Gainer.	Small.
Greer.	Thomason.
Hardin.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Love.	Witt.
Martin.	Woodul.
Neal.	

Nays—4.

Hyer.	Miller.
McFarlane.	Moore.

Absent.

Cunningham.	Woodward.
DeBerry.	

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

House Bill No. 40.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Pope of Nueces:

H. B. No. 40, A bill to be entitled "An Act creating the 113th Judicial District Court for Nueces County; defining its jurisdiction; transferring the civil original jurisdiction of the county court of Nueces County to the court created hereby and adjusting the business of said courts; adjusting the business of the Twenty-eighth District Court of Nueces County with the court created hereby; and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 40 was put

on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Absent.

DeBerry.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Nay—1.

Miller.

Absent.

DeBerry.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

House Bill No. 73.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Purl, Mr. Holder, Mr. Savage and Mr. Keller:

H. B. No. 73, A bill to be entitled "An Act creating additional and ade-

quate courts for Dallas county; defining their jurisdiction, adjusting the business of the existing district courts to the business thereof, prescribing the duties of the district clerk with respect thereto, repealing all laws in conflict therewith, and declaring an emergency."

The committee amendment was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Love the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 73 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Absent.

DeBerry.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Nay—1.

Miller.

Absent.

DeBerry.

Absent—Excused.Parrish.
Pollard.

Stevenson.

House Bill No. 128.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 128, A bill to be entitled "An Act amending the provisions of Article 2968, Revised Civil Statutes of Texas, 1925, providing for changing the method and time of securing certificates of exemption of persons exempt by law from the payment of poll taxes, who are residents of a city of 10,000 inhabitants or more and providing that during continuous residence of the exempt voter in the voting precinct where such exemption certificate was issued, no additional certificate shall be required, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 128 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.Parrish.
Pollard.

Stevenson.

Read third time and finally passed by the following vote:

Yeas—28.

Beck. Berkeley.

Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Parr.
Gainer.	Patton.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Martin.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.Parrish.
Pollard.

Stevenson.

House Bill No. 108.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 108, A bill to be entitled "An Act to authorize the commissioners' court of Wilbarger County, Texas, to contract and agree with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wilbarger County, Texas, and to authorize said commissioners' court of Wilbarger County, Texas, out of the road and bridge funds of said county, to pay not more than 25 per cent of the cost of construction and maintenance, and to authorize the issuance of bonds or warrants for said purpose; and to provide that the said bridge, when constructed, shall be a part of the public highways of the State of Texas; and to authorize the appropriation of funds by the said Highway Commissioner to aid in the construction and maintenance thereof, on authority herein granted by authority of the Governor of Texas, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator McFarlane the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 108 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck. Berkeley.

Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Parr.
Gainer.	Patton.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Senate Bill No. 96.

The Chair laid before the Senate
the following bill:

By Senator Williamson:

S. B. No. 96, A bill to be entitled
"An Act authorizing commissioners'
courts in counties in Texas having a
population of at least 202,000 in-
habitants and less than 210,000 in-
habitants as shown by the census of
1920, to levy a direct tax of not over
five cents on the valuation of one
hundred dollars for the purpose of
advertising the cities of the county
seats and counties, and providing
that all such levy of taxes shall be
submitted to the qualified tax-paying
voters of the county and a majority
vote to be necessary to levy the tax;
and declaring an emergency."

The rule requiring committee re-
ports to lie over 24 hours was sus-
pended by a two-thirds vote.

The committee report was adopted.

On motion of Senator Hornsby the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 96 was put
on its second reading by the follow-
ing vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

The bill was read second time and
passed to engrossment.

On motion of Senator Hornsby the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 96 was put
on its third reading and final pas-
sage by the following vote:

Yeas—26.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Thomason.
Hardin.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Hyer.	Witt.
Love.	Woodul.
Martin.	Woodward.

Nays—2.

McFarlane.	Miller.
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Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed
by the following vote:

Yeas—25.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Patton.
Cunningham.	Russek.
Gainer.	Small.
Greer.	Thomason.
Hardin.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Hyer.	Witt.
Love.	Woodul.
Martin.	Woodward.
Moore.	

Nays—3.

DeBerry.	Miller.
McFarlane.	

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

House Bill Referred.

H. B. No. 86, referred to Committee on State Affairs.

House Bill No. 117.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 117, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in cooperation with teachers; prescribing the salary of said supervisor, and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 117 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Cunningham.
Berkeley.	DeBerry.
Cousins.	Gainer.

Greer.	Parr.
Hardin.	Patton.
Holbrook.	Russek.
Hornsby.	Small.
Hyer.	Thomason.
Love.	Westbrook.
Martin.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed
by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

House Bill No. 7.

Senator Berkeley called up from the table the following bill:

H. B. No. 7, A bill to be entitled "An Act imposing an occupation tax upon theatrical, dramatic and musical comedy shows, moving picture shows, opera houses, theatres, tents, air domes and other such structures and for public entertainment operating for private profit; said tax to be collected from the owner, proprietor or operator of such places of entertainment; said tax to be collected from all shows, moving pictures and other public entertainments or exhibitions given for profit in cities, towns and villages; the amount to be graduated according to the population of said cities, towns and villages as described herein; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 7 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Thomason.
Hardin.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Nay—1.

Hyer.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Senate Bill No. 93.

Senator Greer called up from the table the following bill:

By Senator Greer:
S. B. No. 93, A bill to be entitled
"An Act directing State Superintend-

ent of Public Instruction to pay out of rural aid funds heretofore appropriated by the Forty-first Legislature, Third Called Session, a certain sum of money as a reward for consolidation to the Brownsboro Consolidated School District by adding to Chapter 14, Section 8A, carrying out the hereinbefore mentioned purpose and declaring an emergency."

Read second time.

Senator Martin sent up the following amendment:

Amend S. B. No. 93 by adding a new Section after Section 8-A to be known as Section 8-B and to read as follows:

"Section 8-B. The State Superintendent of Public Instruction is hereby directed to pay out of the rural aid fund, appropriated for the school year ending August 31, 1930, the sum of Nine Hundred Dollars to the Mt. Calm Consolidated School District, as a reward or bonus for consolidation effected during the biennium beginning September 1, 1926, and ending August 31, 1929, same being the amount of bonus granted during the current biennium to districts that have consolidated but who have not completed the unit as laid out by the County Board of Education."

MARTIN.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Greer the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 93 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Present—Not Voting

DeBerry.	Miller.
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Absent—Excused.

Parrish. Stevenson.
Pollard.

Read third time and finally passed
by the following vote:

Yeas—26.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
Gainer.	Small.
Greer.	Russek.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Nays—2.

DeBerry. Miller.

Absent—Excused.

Parrish. Stevenson.
Pollard.

Senate Bill No. 95.

Senator Greer called up from the
table the following bill:

By Senator Greer:

S. B. No. 95, A bill to be entitled
"An Act amending Section 11, Chap-
ter 14, of the General Laws of the
Forty-first Legislature, Third Called
Session, providing supplemental State
aid to those school districts voting
one dollar tax and maintaining cer-
tain standards and amending Section
16, Chapter 14, of the General Laws
of the Forty-first Legislature, Third
Called Session, by adding to Section
16, the following words: "Or to
those districts who elect to apply for
aid under this section, instead of
Section 2, of Chapter 14, and declar-
ing an emergency."

Read second time.

Senator McFarlane sent up the fol-
lowing amendment:

Amend S. B. No. 95 by adding to
the end of Section 1 the following:

"Provided that no money shall be
available under this Act unless and
until the property in said school dis-
trict shall be rendered fairly and
fully for school purposes, and that
no such valuation shall ever be low-

ered so as to come under the pro-
visions of this Act."

And to amend caption to conform.
McFARLANE.

Read and adopted.

The bill as amended passed to en-
grossment.

On motion of Senator Greer the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 95 was put
on its third reading and final pas-
sage by the following vote:

Yeas—26.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Nays—2.

Gainer. Miller.

Absent—Excused

Parrish. Stevenson.
Pollard.

Read third time and finally passed
by the following vote:

Yeas—26.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Thomason.
Hardin.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Nay—1.

Miller.

Present—Not Voting.

Holbrook.

Absent—Excused.

Parrish.
Pollard.

Stevenson.

Bills Signed.

The Chair, President Pro Tem Williamson, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 19.

House Bill No. 53.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Palmer:

H. B. No. 53, A bill to be entitled "An Act to amend Section 1, Chapter 147, Acts Thirty-ninth Legislature, First Called Session, creating and defining by metes and bounds Road District No. 2 of Cherokee County, Texas, under authority of Section 52 of Article 3 of the Constitution of the State of Texas for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; providing that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas; excluding certain territory heretofore embraced and contained within said district, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Thomason the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 53 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Martin.
Berkeley.	McFarlane.
Cousins.	Miller.
Cunningham.	Moore.
DeBerry.	Neal.
Gainer.	Parr.
Greer.	Patton.
Hardin.	Russek.
Holbrook.	Small.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.

Wirtz.
Witt.Woodul.
Woodward.

Absent—Excused.

Parrish.
Pollard.

Stevenson.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.
Pollard.

Stevenson.

House Bill No. 124.

The Chair laid before the Senate on second reading the following bill:

H. B. No. 124, A bill to be entitled "An Act to amend Section 1 of H. B. No. 91, passed by the Forty-first Legislature of the State of Texas, relating to the manner of holding elections for the issuing of seawall bonds under Article 6834, Title 118, of said Revised Civil Statutes of 1925, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 124 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Hornsby.
Berkeley.	Hyer.
Cousins.	Love.
Cunningham.	Martin.
DeBerry.	McFarlane.
Gainer.	Miller.
Greer.	Moore.
Hardin.	Neal.
Holbrook.	Parr.

Patton.	Williamson.
Russek.	Wirtz
Small.	Witt.
Thomason.	Woodul.
Westbrook.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Present—Not Voting.

DeBerry.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Recess.

On motion of Senator DeBerry, the Senate, at 11:58 o'clock, recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem Williamson.

House Bill No. 134.

The Chair laid before the Senate on second reading the following bill:

H. B. No. 134, A bill to be entitled "An Act to amend Chapter 22 of H. B. No. 164, passed by the Second Called Session of the Forty-first Legislature, the same being an act regulating the taking of fur-bearing animals in certain counties; declaring the wild beaver, wild otter, wild mink, wild ring-tail cat, wild badger, wild polecat or skunk, wild o'possum, wild raccoon, wild fox and

wild civet cat to be fur-bearing animals and making it unlawful to take any of the fur-bearing animals of this State by means of a steel trap, dead-fall or snare, in the counties of Panola, Shelby, Nacogdoches, Rusk, Cherokee, Angelina, San Augustine, Hardin, Harris, Harrison, Polk, San Jacinto, Brazos, Madison, Trinity, Tyler, Liberty, Anderson, Sabine, Grimes and Montgomery; etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 134 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

House Bill No. 25.

The Chair laid before the Senate on second reading the following bill:

H. B. No. 25, A bill to be entitled "An Act to provide a period of time when continuity of failure to exercise dominion over land, or claim or render same for taxes, shall prima facie prove title to persons exercising dominion over, claiming and/or paying taxes on such land, and declaring an emergency."

The committee report carrying an amendment was adopted.

The bill was read second time.

Senator Hornsby sent up the following amendment:

Amend H. B. No. 25 by changing the word "hereto" in the second line from the bottom of page 1 to read "thereto."

HORNSBY.

Read and adopted.

The bill as amended passed to third reading.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 25 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Patton.
DeBerry.	Parr.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Greer.
Berkeley.	Hardin.
Cousins.	Holbrook.
Cunningham.	Hornsby.
DeBerry.	Hyer.
Gainer.	Love.

Martin.	Small.
McFarlane.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Neal.	Wirtz.
Parr.	Witt.
Patton.	Woodul.
Russek.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

House Bill No. 99.

The Chair laid before the Senate on second reading the following bill:

H. B. No. 99, A bill to be entitled "An Act to regulate the method of taking or catching fish in the public fresh waters in Cass, Bowie, Morris and Titus Counties, State of Texas; providing penalties for violation; revealing all laws in conflict herewith, and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 99 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Berkeley.
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Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Parr.
Gainer.	Patton.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Free Conference Report.

Senator Woodward sent up the following Free Conference report:

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate,
Hon. W. S. Barron, Speaker of the House of Representatives.

Sirs: We, your Conference Committee heretofore appointed by your respective bodies to adjust the differences between the House and Senate on H. B. No. 6:
"An Act providing for State supervision of cotton weighing at cotton gins and other points of concentration and distribution; providing for State cotton weight supervision; providing penalties, fees to cover expense of administering the Act; making appropriation of monies to carry same into effect, and enacting all provisions and regulations incidental to the subject and purpose of this Act; and declaring an emergency."

Have had same under consideration, and beg leave to report that we have reached an agreement as to said bill as follows:

The bill as finally passed by the House was taken as a basis for the discussion and has been agreed to with certain corrective changes and additions which embody the Senate amendment reducing the weight supervisor's salary to One Hundred Fifty (\$150.00) Dollars and limiting the payment of same to the cotton marketing season, and we recommend that the bill hereto attached, being the bill finally agreed to by this Committee, be adopted as the act of both Houses.

A BILL

To Be Entitled

An Act providing for State supervision of cotton weighing at cotton gins and other points of concentration and distribution; providing for State cotton weight supervision; providing penalties, fees to cover expenses of administering the Act; making appropriation of monies to carry same into effect, and enacting all provisions and regulations incidental to the subject and purpose of this Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There shall be appointed by the Commissioner of Agriculture each year as many weight supervisors as may be deemed necessary to see that all cotton is weighed accurately at all points in this State where cotton is ginned, handled, bought, sold, concentrated, compressed or stored; and said weight supervisors shall perform such other duties in connection with the supervision of weights and measures affecting cotton as in the judgment of the Commissioner of Agriculture is necessary in order to protect the public interest. Such weight supervisors shall serve at the pleasure of the Commissioner of Agriculture, not to exceed two years under one appointment, and shall be paid only during the cotton marketing season.

Sec. 2. Each weight supervisor, before entering upon his duties, shall take the official oath and execute a good and sufficient surety company bond in the sum of Two Thousand (\$2,000.00) Dollars, conditioned upon the faithful and impartial performance of the duty of his office. Such bond so filed shall be made payable to the State of Texas and shall not be void on first recovery, but may be sued on by any person injured by such weight supervisor. All bonds given by such weight supervisors shall be subject to the approval of the Commissioner of Agriculture, and all bonds and oaths of such weight supervisors shall be filed with said Commissioner.

Sec. 3. It shall be the duty of the weight supervisors to see that all cotton is properly and accurately weighed. In all instances where it is necessary for the weight super-

visors to check the weights of any person in this State, or to re-check the weights of any cotton previously weighed, it shall be the duty of said supervisors to make and keep a full and complete record of such cotton showing the description or marks and tags of such cotton and the weight thereof. A copy of such record shall be mailed or delivered to the party entitled to same at the end of the day during which the cotton weight is checked by said supervisors. It shall be the duty of said weight supervisors to examine into any cotton which may have been reconditioned, or which may require reconditioning, because of damaged condition when shipped, in all instances where any party at interest desires and requests such examination of cotton needing reconditioning. Also, it shall be the duty of said supervisors to report to the party entitled to such report the amount of damaged cotton removed from the bale, the weight of the bale prior to reconditioning, and the weight of the bale subsequent to reconditioning.

Sec. 4. It shall be the duty of the State weight supervisor to test all scales used in weighing cotton as to their accuracy. In the testing of said scales, authority and procedure as prescribed in Chapter 7, Title 92, Revised Civil Statutes of Texas, 1925, for inspectors of weights and measures in the inspection of weighing and measuring devices is hereby conferred on the State cotton weight supervisor.

Sec. 5. No person shall be appointed a State cotton weight supervisor unless he is an experienced cotton weigher, and such State weight supervisor shall not be a stockholder, officer, employee or in any wise connected with any compress. He shall have a fair education and be able to keep an accurate and legible record as required by this Act. All State cotton weight supervisors shall be persons of sufficient scientific knowledge to properly inspect, examine and report on the technical condition of scales used in weighing cotton. The Commissioner of Agriculture shall provide for such examination as he may deem necessary to determine the qualification and fitness of appointees.

Sec. 6. The Commissioner of Ag-

riculture shall set salary of all cotton weight supervisors which shall not exceed the amount of One Hundred and Fifty (\$150.00) Dollars per month, which payments of said salary shall be made when possible to reach the employee by the first of each month and the said Commissioner shall make such payments out of the gin fees herein provided, and the Commissioner of Agriculture is authorized to pay out of the fees created herein all necessary expenses incurred in the enforcement of this Act.

Sec. 7. To cover the expenses of the police regulations herein provided, every person engaged in the operation of a gin for ginning cotton in this State shall pay to the State of Texas a fee of two (2c) cents on each square bale and a fee of one (1c) cent on each round bale of cotton originally ginned and such fee shall be due and payable at the office of the Commissioner of Agriculture at Austin on the 15th day of each month, and every such person so receiving cotton for original ginning, shall on or before the 15th day of each month during the period of ginning operations, make and deliver to the Commissioner of Agriculture a report sworn to as correct by such person before an officer authorized to administer oaths in this State, on such forms as said Commissioner of Agriculture shall prescribe, showing the total number of square and/or round bales of cotton received for original ginning by such person during the next preceding calendar month.

Sec. 8. Any person required to make reports under the terms and provisions of this Act, who shall willfully fail or refuse to make the same in the manner or within the time prescribed by this law shall be guilty of a misdemeanor and upon conviction shall be fined not less than One (\$1.00) Dollar nor more than One Thousand (\$1,000.00) Dollars.

Sec. 9. The money collected under this Act shall be placed in the State Treasury to the credit of a special cotton account to be known as a Cotton Supervision Fund by the Commissioner of Agriculture immediately upon the collection of the same and said money to be expended only for supervising cotton weight.

Sec. 10. All such monies are hereby appropriated for two years, the same, or so much as necessary, to be used to pay the salaries and other necessary expenses to properly carry out the provisions of this Act. The portion of the fund used in the enforcement of this Act shall be paid out upon warrants drawn by the Comptroller against the State Treasury upon accounts approved by the Commissioner of Agriculture.

Sec. 11. All owners of gins in this State receiving cotton for original ginning shall on or before thirty (30) days after the passage of this Act file an acknowledged statement with the Commissioner of Agriculture, and a copy thereof to the State Auditor at Austin, Texas, which statement shall set forth the name under which such gin transacts its business, the principal office, residence or place of business in Texas, and if other than an individual the principal officers or members thereof, not to exceed three, and their offices, street or post office address. Any person who shall refuse or fail to make such statement shall be guilty of a misdemeanor and on conviction be fined not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars.

Sec. 12. It shall be unlawful for any owner, manager or agent of a gin, compress, cotton yard or warehouse handling cotton to take from any bale of cotton any amount of cotton for a sample or for any other reason except upon the request of the owner, and any and all cotton taken from a bale upon being conditioned, the same shall be accounted for to the owner. Any person who violates this Section or the preceding Section shall be guilty of a misdemeanor, and on conviction shall be fined not less than Twenty-five (\$25.00) Dollars nor more than Two Hundred (\$200.00) Dollars.

Sec. 13. Should any State weight supervisor enter into any conspiracy to report any false weight or weights he shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than Five Hundred (\$500.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, and/or in addition thereto shall be confined in the county jail for not less

than six months, nor more than one year.

Sec. 14. The Commissioner of Agriculture may promulgate any and all reasonable rules and regulations necessary for the proper and successful enforcement of the provisions of this Act. All weight supervisors are subject to the direction of the Commissioner, and at his discretion he may transfer any number of supervisors to work in any division of the Department of Agriculture when the movement of cotton is insufficient to demand the full time of all supervisors.

Sec. 15. Whoever hinders or obstructs in any way the Commissioner of Agriculture or his duly appointed weight supervisors in the performance of their duties, as prescribed by this Act, shall be guilty of a misdemeanor and upon conviction shall be fined not less than Fifty (\$50.00) Dollars nor more than Two Hundred (\$200.00) Dollars.

Sec. 16. All laws, or parts of laws, in conflict with the provisions of this Act are hereby repealed. Nothing in this Act shall be construed as affecting the public weighers law or either elective or appointive weighers, but shall be cumulative thereof.

Sec. 17. If any Section of this Act shall for any reason be declared unconstitutional it shall not thereby affect any other Section hereof.

Sec. 18. The fact that the cotton farmers of this State have sustained losses in weights when selling their cotton, which losses are reflected in the price received for the same, and likewise sustained and having likewise had unsatisfactory losses and abuses in the reconditioning of cotton in this State and further that there is no law provided for weight supervisors for supervising of the weighing of cotton in this State and the further fact that Texas is the leading agricultural State in the Union and those engaged in agricultural pursuits are in great need of such duly appointed State weight supervisors, creates an emergency and an imperative public necessity requiring that the Constitutional Rule requiring bills to be read upon three several days be suspended and that this Act shall take effect and

be in force from and after its passage and it is so enacted.

Respectfully submitted,
ACKERMAN,
HUBBARD,
LEE,
MORSE,

On the part of the House.
HOLBROOK,
WITT,
WOODWARD,

On the part of the Senate.

The report was read in part.

On motion of Senator Wirtz further reading of the report was dispensed with and the report was ordered printed in the Journal.

House Bill No. 87.

The Chair laid before the Senate on its second reading the following bill:

* H. B. No. 87, A bill to be entitled "An Act to authorize the selection of school depositories for independent districts in certain counties, regardless of the population of said districts, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator McFarlane the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 87 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Russek.
Greer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.

Absent—Excused.

Parrish.	Stevenson.
Pollard.	

Bills Signed

The Chair, President Pro Tem Williamson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 128.
H. B. No. 40.
H. B. No. 7.
H. B. No. 79.
H. B. No. 108.
H. B. No. 117.
H. B. No. 73.

House Bills Referred

H. B. No. 78, referred to Committee on Civil Jurisprudence.

H. B. No. 39, referred to Committee on Civil Jurisprudence.

Senator Excused.

On motion of Senator Pollard, Senator Beck was excused for the remainder of the day on account of important business.

House Bill No. 12.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 12, A bill to be entitled "An Act amending Articles 7084, 7085, 7089, and repealing Articles 1538i, 7088 and 7090, Revised Civil Statutes, 1925, levying and imposing franchise taxes on domestic and foreign corporations, and declaring an emergency."

Read second time.

The minority committee report was adopted.

Senator Witt sent up the following amendment:

Amend Section 2 of the bill by adding to Article 7084 Clause E reading as follows:

"(E) Except as provided in the preceding Clause C, the franchise tax of corporations, issuing stock with or without par value, whose service is regulated in whole or in part and whose rates to the public are regulated and/or limited by law, shall be based on that proportion of their capital stock issued and outstanding, including surplus and undivided profits, that the business done in Texas bears to the total business transacted which tax shall be computed as follows: \$1.00 to \$1,000,000.00, 75c for each \$1,000.00 or fractional part thereof; and 35c for each \$1,000.00 or fractional part thereof, in excess of \$1,000,000.00. For the purpose of computing the tax stock of no par value shall be taken and considered as of the value actually received at the time of the issuance and with respect to the issuance of such stock and the consideration received therefor foreign corporation shall furnish the Secretary of State the same information now required of domestic corporations."

WITT.

The amendment was read and adopted by the following vote:

Yeas—13.

Cousins.	Patton.
Greer.	Pollard.
Hardin.	Westbrook.
Hyer.	Williamson.
Martin.	Wirtz.
Miller.	Witt.
Parr.	

Nays—9.

Berkeley.	Love.
DeBerry.	McFarlane.
Gainer.	Neal.
Holbrook.	Thomason.
Hornsby.	

Absent.

Small.

(Pairs Recorded.)

Senator Cunningham (present) who would vote nay, with Senator Stevenson (absent) who would vote yea.

Senator Moore (present) who would vote yea, with Senator Parrish (absent) who would vote nay.

Senator Woodul (present) who would vote yea, with Senator Beck (absent) who would vote nay.

Senator Woodward (present) who would vote nay, with Senator Russek (absent) who would vote yea.

Senator Moore sent up the following amendment:

Amend Witt amendment to H. B. No. 12 as follows:

Amend Article 7084 (D) by striking out all of the sentence after the words "as follows," and inserting in lieu thereof the following: "from One Dollar (\$1.00) to One Million Dollars (\$1,000,000.00) Sixty Cents (60c); in excess of One Million Dollars (\$1,000,000.00) Thirty Cents (30c) for each One Thousand Dollars (\$1,000.00) or fractional part thereof."

MOORE.

The amendment was read.

Senator Pollard moved to table the amendment. The motion prevailed by the following vote:

Yeas—17.

Berkeley.	Parr.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Thomason.
Hornsby.	Westbrook.
Love.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Neal.	

Nays—6.

Cousins.	Hyer.
Hardin.	Martin.
Holbrook.	Wirtz.

Absent.

Russek.	Williamson.
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Absent—Excused.

Beck.	Parrish.
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(Pairs Recorded.)

Senator Cunningham (present) who would vote yea, with Senator Stevenson (absent) who would vote nay.

Senator Moore (present) who would vote nay, with Senator Small (absent) who would vote yea.

Senator Small sent up the following amendment:

Amend H. B. No. 12 by striking out subdivision C of Article 7084 of Section 2, and substitute in lieu thereof the following:

"Corporations, which are now or may hereafter be required by law to pay annually a tax upon intangible assets, shall, by reason thereof, be required to pay a franchise tax which shall be computed on the basis of their issued and outstanding capital stock, surplus and undivided profits, as follows:

One dollar to one million dollars, fifty cents for each one thousand dollars; in excess of one million dollars, twenty-five cents for each one thousand dollars or fractional part thereof; provided that such tax shall not be less than ten dollars."

WOODUL,
SMALL.

Read and lost by the following vote:

Yeas—7.

Martin.	Small.
Parr.	Wirtz.
Patton.	Woodul.
Pollard.	

Nays—16.

Berkeley.	Hyer.
Cousins.	Love.
DeBerry.	McFarlane.
Gainer.	Moore.
Greer.	Neal.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Witt.

Present—Not Voting.

Williamson.

Absent—Excused.

Beck.

(Pairs Recorded.)

Senator Cunningham (present) who would vote nay, with Senator Stevenson (absent) who would vote yea.

Senator Miller (present) who would vote yea, with Senator Parrish (absent) who would vote nay.

Senator Woodward (present) who would vote nay, with Senator Russek (absent) who would vote yea.

Senator Love sent up the following amendment:

Amend H. B. No. 12, Section 2, by adding a new subsection to Article 7084 to be known as subsection E, to read as follows:

"(E) Each banking corporation authorized to accept deposits shall pay the franchise tax herein provided only upon its outstanding and issued capital stock, surplus and undivided profits, in lieu of its gross assets."

LOVE,
CUNNINGHAM,
WOODWARD,
BERKELEY.

The amendment was read.

Senator Wirtz sent up the following substitute for the amendment.

Substitute for pending amendment to H. B. No. 12:

Amend Article 7084 (A) of the bill by adding after the words "gross cash value of assets" wherever they occur, the words "less its outstanding liabilities."

WIRTZ.

The substitute was read.

Senator McFarlane raised the point of order that the substitute was not germane.

The Chair overruled the point of order.

The substitute was lost by the following vote:

Yeas—7.

Holbrook.	Patton.
Martin.	Small.
Neal.	Wirtz.
Parr.	

Nays—17.

Berkeley.	McFarlane.
Cousins.	Miller.
DeBerry.	Moore.
Gainer.	Pollard.
Greer.	Thomason.
Hardin.	Witt.
Hornsby.	Woodul.
Hyer.	Woodward.
Love.	

Present—Not Voting.

Williamson.

Absent.

Russek. Westbrook.

Absent—Excused.

Beck. Parrish.

(Pairs Recorded.)

Senator Cunningham (present) who would vote nay, with Senator Stevenson (absent) who would vote yea.

The amendment was adopted.

The bill as amended passed to engrossment.

On motion of Senator Love, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 12 was put on its third reading and final passage, by the following vote:

Yeas—23.

Berkeley.	Neal.
Cousins.	Parr.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Moore.	Woodward.

Present—Not Voting.

Holbrook.

Absent.

Cunningham. Small.
Miller.

Absent—Excused.

Beck. Stevenson.
Parrish.

Read third time and finally passed by the following vote:

Yeas—22.

Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Thomason.
Hardin.	Westbrook.
Hornsby.	Williamson.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Nays—2.

Holbrook. Hyer.

Present—Not Voting.

Russek. Wirtz.

Absent.

Small.

Absent—Excused.

Beck. Stevenson.
Parrish.

Reason for Vote.

On H. B. No. 12 I vote yea, not because I think the bill is what it should be, but that in hope when in free conference the Witt amendment can be taken off, which amendment, according to my mind, practically ruined the bill.

DeBERRY.

Reason for Vote.

In voting for final passage of H. B. No. 12 I do so in order that the State will not lose approximately One Million and Five Hundred Dollars in revenue now being derived through the franchise tax law. Our present law being unconstitutional, it is imperative that we enact some statute to protect our revenue. In voting for the final passage, however, I do not concur in or endorse what is known as the Witt amendment which relieved the public utility corporations of the duty to file an inventory showing value of their assets. I was opposed to that amendment and I hope at some future time the amendment will be repealed. By reason of the amendment it is my opinion that the public service corporations have been favored to the detriment of small corporations. The amendment has the effect in my opinion to increase the franchise tax on small corporations and materially reduce the franchise tax on certain larger utility corporations. It also relieves them of the duty to file sworn statements of their assets, thus enabling them to materially increase the value of their assets for rate making purposes but not for franchise tax-paying purposes.

WOODWARD.

House Bill Referred.

H. B. No. 120 referred to Committee on Towns and City Corporations.

Senate Bill No. 69.

The Chair laid before the Senate on second reading the following bill:

By Senator Witt:

S. B. No. 69, A bill to be entitled "An Act to amend Section 40 of Chapter 61 of the General Laws passed by the Forty-first Legislature at its Second Called Session which convened June 3, 1929, so as to give borrowers full credit for all payments and to preserve the contract time for repayment and to add a new section to be known as Section 47a, authorizing the Banking Commissioner of Texas to regulate withdrawals, and fixing venue in certain suits, and declaring an emergency."

Read second time.

Senator Witt sent up the following amendments:

Amendment No. 1.

Amend S. B. No. 69 by striking out all below the enacting clause and substitute in lieu thereof the following:

Section 1. That Section 40 of Chapter 61 of the General Laws passed at the Second Called Session of the Forty-first Legislature be and the same is hereby amended so as to read as follows:

"Sec. 40. Repayment of Loans. Any loan made by a building and loan association may be repaid at any time after three months have elapsed from the time of making such loan, provided the borrower shall pay the principal due thereon (less the withdrawal value of the shares transferred as security therefor), loan expenses, the premium due and the interest accrued at the time of such repayment, and all sums advanced by the association for taxes, assessments or insurance premiums, with interest thereon; and in addition thereto interest on the principal repaid for the period of three months after the date of repayment. Any borrower desiring to retain the shares may repay his loan without claiming credit for the withdrawal value of such shares, whereupon such shares shall be retransferred to the borrower and shall be free from any claim by reason of said loan. If any such association is in process of either voluntary or involuntary liquidation, the payments made by such borrower, plus credited dividends, less any lawful fees, fines, penalties or advances owing by such member on his shares of stock, shall be applied on

the indebtedness owing by such borrower, who shall have the same time for payment at the same rate of interest as would have been required if said association were not in liquidation."

Sec. 2. The inadequacy of the present law in relation to the subject matter of this Act, and the public importance of this Act, create an emergency and an imperative public necessity requiring that the Constitutional rule requiring bills to be read on three several days before final passage, be suspended and such rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

WITT.

The amendment was read and adopted.

Amendment No. 2.

Amend S. B. No. 69 by striking out all above the enacting clause and substitute in lieu thereof the following:

A BILL

To Be Entitled

An Act to amend Section 40 of Chapter 61 of the General Laws passed at the Second Called Session of the Forty-first Legislature so as to give borrowers full credit for all payments made on stock and to preserve the contract time for payment of all loans; and declaring an emergency.

WITT.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 69 was put on its third reading and final passage, by the following vote:

Yeas—28.

Berkeley.	Martin.
Cousins.	McFarlane,
Cunningham.	Miller.
DeBerry.	Moore.
Gainer.	Neal.
Greer.	Parr.
Hardin.	Patton.
Holbrook.	Pollard.
Hornsby.	Russek.
Hyer.	Small.
Love.	Thomason.

Westbrook.	Witt.
Williamson.	Woodul.
Wirtz.	Woodward.

Absent—Excused.

Beck.	Stevenson.
Parrish.	

Read third time and finally passed
by the following vote:

Yeas—27.

Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Present—Not Voting.

DeBerry.

Absent—Excused.

Beck.	Stevenson.
Parrish.	

Message From the Governor.

The Chair recognized the Door-keeper, who introduced a messenger from the Governor with the following message:

Executive Office,
March 17, 1930.

To the Forty-first Legislature:

In previous messages I have advised you of the requests which have been made for the appropriation of funds to meet additional emergency needs of the departments and institutions. These requests in so far as they apply to the present fiscal year, that is to say the fiscal year ending August 31, 1930, may be summarized as follows:

Educational institutions:	
Departmental maintenance	\$128,800.00
Summer schools	404,674.00
Total	\$533,474.00

The State supported colleges made a request for the appropriation of

a contingent fund for salaries, but this request has been eliminated.

The prison system has requested an appropriation for its support and maintenance totaling \$488,311.27.

The Board of Control has submitted a request for the eleemosynary institutions totaling \$39,470.00.

Departments of the State Government have requested supplemental appropriations for their emergency needs totaling approximately \$50,000.00.

The figures hereinabove given represent requests for funds for the remainder of the present fiscal year.

For the fiscal year beginning September 1, 1930, and ending August 31, 1931, the educational institutions have requested \$886,003.00. The prison system has requested \$527,332.19. The Board of Control has requested for the eleemosynary institutions \$49,800.00.

It is obvious that there is not enough revenue available to meet all of these requests. Up to the present one revenue bill has been passed by the Legislature which has reached me for approval, and that is House Bill Number 19. This bill, I am advised, will increase the revenues approximately \$800,000.00 per annum. It imposes a tax on public utilities. The bill provides that the tax shall be paid on the first days of January, April, July and October of each year.

The bill did not receive an emergency vote, and therefore will become effective ninety days from the adjournment of the present session of the Legislature. The increased tax, therefore, paid under this bill between now and September first would be paid on July first, and would cover the tax period from the effective date of the bill, that is about the middle of June, to July first, and this sum will, of course, be nominal.

I estimate that there will be in the general revenue fund on the first of September a sum of from \$100,000.00 to \$150,000.00, and certainly not in excess of the last named amount. In other words, I believe the present income will pay warrants drawn against outstanding appropriations up to September first, and perhaps will leave a balance of not exceeding \$100,000.00 to \$150,000.00.

I have suggested the need of rev-

enues to meet these requests for additional emergency appropriations. The revenues have not been provided but there is a small sum of money, as shown herein, which may be appropriated, and I am submitting for your consideration doing what you can to meet these needs from the funds available. If you pass other bills to yield revenues to the Treasury, of course, that can be taken into account. I am not going to permit the State to be put on a deficit by the appropriation of funds beyond the expectant revenues of the State. To place the State on a deficiency means that many of the employees of the State Government must discount their warrants, and that people in selling supplies that are bought by the State, knowing that the warrants are not cashable, want to add to the price of the article enough money to cover the charge of carrying the warrant. I will not approve appropriations beyond the revenues of the State. I want to do whatever can be done to meet these needs, but I will not consent to the appropriation of money beyond the funds available. Whatever you can do within the limits of the revenues of the State towards meeting these needs I think should be done, but you have had opportunity to raise the revenue to meet these needs, and you have not done it, and I will not become responsible for approving appropriations except within the money that the State has in sight.

Respectfully submitted,
DAN MOODY.

Senate Bill No. 100.

The Chair laid before the Senate the following bill:

By Senator McFarlane:

S. B. No. 100, A bill to be entitled "An Act creating a Board for the leasing of State Parks for oil and/or gas; etc., and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

The committee report was adopted.

On motion of Senator McFarlane, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 100 was put on its second reading by the following vote:

Yeas—28.

Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Beck.	Stevenson.
Parrish.	

The bill was read second time and passed to engrossment.

On motion of Senator McFarlane, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 100 was put on its third reading and final passage, by the following vote:

Yeas—28.

Berkeley	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Beck.	Stevenson.
Parrish.	

Read third time and finally passed by the following vote:

Yeas—28.

Berkeley.	Hyer.
Cousins.	Love.
Cunningham.	Martin.
DeBerry.	McFarlane.
Gainer.	Miller.
Greer.	Moore.
Hardin.	Neal.
Holbrook.	Parr.
Hornsby.	Patton.

Pollard.	Williamson.
Russek.	Wirtz.
Small.	Witt.
Thomason.	Woodul.
Westbrook.	Woodward.

Absent—Excused.

Beck.	Stevenson.
Parrish.	

Adjournment.

On motion of Senator Hyer, the Senate, at 5:20 o'clock, adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 91 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 78 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 94 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 50 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 46 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 76 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 77 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 79 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 34 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 66 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 93 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 92 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 82 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 87 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 96 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 95 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 96, A bill to be entitled "An Act authorizing commissioners' court in counties in Texas having a population of at least 202,000 inhabitants and less than 210,000 inhabitants as shown by the census of 1920, to levy a direct tax of not over five cents on the valuation of One Hundred Dollars for the purpose of advertising the cities of the county seats and counties, and providing that all such levy of taxes shall be submitted to the qualified tax-paying voters of the county and a majority vote to be necessary to levy the tax; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 99, A bill to be entitled "An Act to regulate the method of taking or catching fish in the public fresh waters in Cass, Bowie, Morris and Titus Counties, State of Texas; providing penalties for violation; repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 17, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. R. No. 23,
"Be It Resolved by the Senate of the State of Texas:

Section 1. The president of the Senate shall appoint a committee of three members of the Senate, whose duty it shall be to immediately investigate the feasibility and cost of having installed in the Senate Chamber, radio equipment for broadcasting the proceedings of the Senate, and of making arrangements for such broadcasting to be done at the next Session of the Legislature, under plans whereby there shall be one microphone placed at the desk of each Senator, one at the desk of the President of the Senate, and one at the desk of the Secretary of the Senate. Said committee shall have authority to make any contract or contracts necessary to comply with this resolution, subject, however, to the approval of the Senate, when it shall convene in its next session.

The necessary expense of the committee incurred in the performance of their duty hereunder, shall be paid out of the contingent fund of the Senate."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be adopted.

GAINER, Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 89, A bill to be entitled "An Act to prescribe what constitutes the perfection of an appeal in misdemeanor cases making it the duty of the clerk of the court in which appeals in such cases are perfected to enter of record the recognizance of the defendant, and the duty of the judge of such court if such recognizance is not so entered to order the same entered nunc pro tunc after the term, and the duty of the Court of Criminal Appeals to issue writs of certiorari to require the entry of such recognizance and its certification to said court in all cases now pending or hereafter pending in said court; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be not printed.

MILLER, Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 90, A bill to be entitled "An Act to amend an Act passed at the Second Called Session of the Forty-first Legislature known as Senate Bill No. 138, filed in the office of the Secretary of State on June 24, 1929, being Chapter 73 of the General Laws of the State of Texas passed by the Forty-first Legislature at its Second Called Session; authorizing the Board of Regents of the College of Industrial Arts to erect and equip and make contracts for the erection and equipping of dormitories and other improvements on the campus or other real estate purchased or leased for the purpose; to purchase or lease additional real estate for such purpose or to sell or exchange real estate now or hereafter owned for such purpose; to issue obligations under the limitations herein prescribed and to pledge the rents, revenues and income from the operation of such improvements to be erected hereunder, and/or then owned for the repayment of said obligation; and all other rents, revenues and income from every source, except appropriations made by the Legislature for a particular or specific purpose to sell and/or encumber any part of the campus or real estate owned by the college for the purpose of obtaining funds with which to erect and/or equip such improvements, or for the purpose of further securing the payment of its obligations issued for the erection and/or equipping such improvements; providing for the control and management of said dormitories and improvements; to make requisition for all furniture, furnishings, equipment or appointments that may be required for the proper use and enjoyment of such improvements and authorizing the Board of Control to purchase and pay for such furniture, furnishing, equipment or appointments; providing that in the erection of such improvements or in contract-

ing therefor no indebtedness shall be incurred against the College of Industrial Arts or the State of Texas, except as herein otherwise provided; repealing all laws and parts of laws in conflict with the provisions of this Act and providing that if any section, provision or portion of this Act be held invalid that the same shall not affect the remaining sections, provisions or portions thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

POLLARD, Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 78, A bill to be entitled "An Act authorizing juries to be drawn, selected and empaneled in felony cases in counties other than the county where the case is pending where a jury cannot be secured alike fair and impartial to the accused and to the State in such county; authorizing the district judge to make an order directing such juries to be drawn, selected and empaneled; authorizing the accused to be present when a jury is drawn and empaneled and waive his presence when same is drawn; authorizing the per diem and traveling expenses of the sheriff and jurors when ordered and provided for the proper care and expenses of such jurors; repealing all laws in conflict and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 39, A bill to be entitled "An Act to amend Section 28 of Article 2092 of the 1925 Revised Civil

Statutes of the State of Texas so as to provide that all motions for a new trial must be presented within thirty (30) days after the original motion has been filed, and must be determined within forty-five (45) days after said motion has been filed, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 100, A bill to be entitled "An Act creating a Board for the leasing of State Parks for oil and/or gas; granting authority for said Board to make concession contracts for any causeway, beach drive, or other improvements in connection with State Park sites, providing that the revenues received therefor will be placed in the special fund of the State Treasury; granting authority to said Board to make such rules, appropriation and regulations for carrying out the provisions of this Act as may be necessary; repealing all laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 86, A bill to be entitled "An Act amending Chapter 221, Regular Session, Forty-first Legislature, regulating the taking and sale of the pelts of fur-bearing animals; providing for an open season for taking such pelts; providing for a trapper's license; providing for a tax on the pelts of fur-bearing animals taken for the purpose of sale; providing that the tax shall be paid to the State through the Game,

Fish and Oyster Commission; and declaring an emergency.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the attached committee amendments and that it be printed in the Journal but not otherwise.

WIRTZ, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 86 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Chapter 221, Acts of the Regular Session, Forty-first Legislature, be and the same is hereby amended so as to hereafter read as follows:

Sec. 1A. It shall be unlawful for any person to take or attempt to take the pelt of any furbearing animal of this State at any time other than the open season provided therefor. The open season for taking pelts of furbearing animals shall be during the months of December and January of each year, except muskrats, the open season for which shall be from the 15th day of November to the 15th day of March, both days inclusive.

Sec. 2 Any person over the age of 17 years who takes or attempts to take the pelt or pelts of any of the furbearing animals of this State for the purpose of barter or sale before doing so, shall procure a trapper's license. If the trapper has been a resident of this State for 12 months before applying for such license, he shall pay for such license the sum of \$1.10, 10 cents of which shall be retained by the officer issuing the license. If he has not been a resident of this State for 12 months prior to applying for such license, he shall pay for a non-resident trapper's license the sum of \$25.00. Such license shall be issued by the Game, Fish and Oyster Commission and shall be available on and after September 1st of each year, and shall expire August 31st of the following year. All trappers' licenses shall have blanks for the name of the trapper, his place of residence, age, height, weight, color of eyes and color of hair.

Sec. 3. That there be and is hereby levied a tax of 1 cent on each pelt taken from a furbearing animal, ex-

cept pelts of raccoons and mink, the tax for which shall be 5 cents on each pelt, which tax shall be payable as herein provided.

Sec. 4. It shall be the duty of the Game, Fish and Oyster Commission to provide suitable tags to be attached to the pelts of furbearing animals, as a receipt for the tax which has been paid thereon. Such tag shall be available on and after September 1st of each year and shall be valid until August 31st of the year following. Tags shall be printed with the words "State of Texas—Fur tax received 1 cent" and "State of Texas—Fur tax received 5 cents," and shall show date of expiration, and have a blank for date pelt was tagged. The Game, Fish and Oyster Commission, or its authorized agents, shall issue tags upon payment of the amounts for which such receipts are issued.

Sec 5. It shall be the duty of the trapper to attach to the pelt of each furbearing animal taken by him a tax receipt as described herein for the amount of tax due on such pelt and place on each tag date it was tagged, before such pelt may be shipped, bartered, sold or offered for sale, and providing that all pelts held by a trapper for the purpose of sale shall be tagged within 5 days after the close of the open season for taking such pelts. It shall be unlawful for any dealer to purchase a pelt taken in this State or shipped from any point in this State which does not bear a tax receipt tag.

Sec. 6. Any person, firm or corporation, except the trapper selling his own catch, who barter, buys, offers to barter, offers to buy, sells or offers for sale the pelt or pelts of any furbearing animal protected by the laws of this State, before engaging in such business in this State, shall procure a license as a dealer from the Game, Fish and Oyster Commission or its authorized agents by the payment of the sum of \$5.50, 50 cents of which shall be retained by the officer issuing such license, provided that such applicant has been a resident of this State for 12 months prior to the application for license or is a resident firm or corporation organized 12 months prior to such application. All others shall be non-residents and shall procure a non-resident deal-

er's license from the Game, Fish and Oyster Commission at Austin, Texas, by the payment of \$50.00 for each such license.

Sec. 7. That every Dealer as defined in this Act must file with the Game, Fish and Oyster Commission not later than the 10th day of each month a complete sworn report on printed forms furnished by the Game, Fish and Oyster Commission of the kind and number of the pelts of furbearing animals purchased in this State and shipped out of this State during the preceding month. Provided that no report shall be required for those months during which no pelts are purchased in this State. And providing that those Dealers who purchase pelts for manufacturing into a finished product in this State shall report by the 10th day of each month the number and kind of pelts purchased during the preceding month.

Sec. 8. The possession in this State of any undried pelt from a furbearing animal at any time other than during the open season for taking of such pelt, or within fifteen days after the close of such season, shall be prima facie evidence that such pelt was taken during the closed season.

Sec. 9. Any person who desires to take alive any of the furbearing animals of this State for such purpose shall apply to the Game, Fish and Oyster Commission at Austin, Texas, for a Propagation Permit for which he shall pay the sum of Five Dollars, which permit shall be available on and after the first day of September of each year and shall be valid until August 31st of the following year. Any person holding a Propagation Permit may take and hold furbearing animals protected by the laws of this State, provided that such animals are taken during the period of time that it is lawful to do so, and provided that the pelts from such animals may not be taken at any time other than during the open season for taking such pelts. Any person who holds a Propagation Permit shall file a report with the Game, Fish and Oyster Commission not later than the 16th day of each year, showing the number of each kind of furbearing animals held in captivity and giving the Commission

the number of each kind of furbearing animal and pelts disposed of during the year previous.

Sec. 10. The pelts of all furbearing animals of this State are declared to be and continue to be the property of this State until all taxes levied thereon are paid, receipts for such taxes are issued and attached to such pelts, and all regulations herein are followed; provided, however, that any pelts taken during the open season for the taking of such pelts shall not come within the provision of this Act, when they are held for personal use.

Sec. 11. The Game, Fish and Oyster Commission and all Game and Fish Wardens in its employ are hereby directed to seize any and all pelts illegally taken or held by anyone and to hold them as evidence until after trial of the person or persons charged with illegally taking or holding of such pelt or pelts, and if the defendant is found guilty of taking or possessing such pelt or pelts in violation of any provision of this Act, the pelt or pelts so seized as evidence shall be delivered to the office of the Game, Fish and Oyster Commission by the Game and Fish Warden, and the Game, Fish and Oyster Commission is hereby directed to sell such pelt or pelts. Prosecutions under this Act may be begun and carried on either in the county in which the pelts or animals were taken or from where they were shipped or in the county of this State in which they are received for sale.

Sec. 12. It shall be unlawful for any person, firm or corporation to take, sell, offer for sale or buy or offer to buy the pelts of furbearing animals in this State for a period of twelve months after date of conviction. Any person, firm or corporation violating any of the provisions of this Act upon conviction shall be fined in any sum not less than \$10.00 and not more than \$100.00, and his trapper's or dealer's license shall be forfeited at time of conviction, and he shall not be entitled to purchase another such license for a period of one year.

Sec. 13. All moneys collected taxes, licenses, fines, sale of confiscated pelts and penalties for violation of this Act shall be deposited with the Treasurer of this State during

the first week of each month and shall be credited to the Special Game Fund and used for the purposes provided for by law.

Sec. 14. Provided that all laws or parts of laws in conflict herewith shall be and the same are hereby repealed, except that nothing herein shall repeal Chapter 68, Acts of the First Called Session of the Forty-first Legislature, protecting beaver and otter in this State and fox in certain sections of the State as specified therein.

Sec. 15. If any section of this Act shall be held unconstitutional, it shall not affect any other section of this Act, and all sections except the one that may be declared unconstitutional shall continue to be in full force and effect.

Sec. 16. The fact that the existing law would require the sale of pelts of furbearing animals to the possible detriment of the trapper and the fact that there is no adequate law regulating and protecting the fur industry of this State creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended and said rule is hereby suspended and this Act shall take effect from the first day of September, A. D. 1930, and it is so enacted.

Committee Amendment No. 2.

Amending H. B. No. 86 by striking out all above the enacting clause and inserting in lieu thereof the following:

An Act amending Chapter 221, Regular Session 41st Legislature, regulating the taking and sale of the pelts of fur bearing animals; providing for an open season for taking such pelts; providing for a trapper's license; providing for a tax on the pelts of fur bearing animals taken for the purpose of sale; providing for a tax receipt tag; providing when such tax shall be paid; providing that the tax shall be paid to the State through the Game, Fish and Oyster Commission; providing that it shall be unlawful to purchase pelts of fur bearing animals that do not have attached a tax receipt tag; providing that any person who buys

or sells any pelt of a fur bearing animal shall procure a dealer's license, providing for a non-resident dealer's license; providing for a report from dealers; providing for a permit for propagation of fur bearing animals; providing a fee for a Propagation Permit; providing regulations for holder of a Propagation Permit; providing for a report from a holder of a Propagation Permit; providing for a seizure and disposition of pelts of fur bearing animals illegally taken or held; providing for forfeiture of licenses for violation of this Act; providing penalty for violations of this Act; providing that moneys collected under this Act shall be deposited with the State Treasury; repealing all laws in conflict with this Act, except Chapter 68, Acts of the 1st Called Session, 41st Legislature, and declaring an emergency.

By Brooks, Finlay H. B. No. 86.

A BILL

To Be Entitled

An Act amending Chapter 21, Regular Session, 41st Legislature, regulating the taking and sale of the pelts and sale of the pelts of furbearing animals; providing for an open season for taking such pelts; providing for a trapper's license; providing for a tax on the pelts of furbearing animals taken for the purpose of sale; providing for a tax receipt tag; providing when such tax shall be paid; providing that the tax shall be paid to the State through the Game, Fish and Oyster Commission; providing that it shall be unlawful to purchase pelts of furbearing animals that do not have attached a tax receipt tag; providing that any person who buys or sells any pelt of a furbearing animal shall procure a dealer's license; providing for a non-resident dealer's license; providing for a report from dealers; providing for a permit for propagation of furbearing animals; providing a fee for a Propagation Permit; providing regulations for a holder of a Propagation Permit; providing for a report from a holder of a Propagation Permit; providing for seizure and dispo-

sition of pelts of furbearing animals illegally taken or held; providing for forfeiture of licenses for violation of this Act; providing penalty for violations of this Act; providing that monies collected under this Act shall be deposited with the State Treasury; repealing all laws in conflict with this Act, except Chapter 68, Acts of the First Called Session, 41st Legislature and Chapter 22, Acts of the Second Called Session, 41st Legislature; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 221, Acts of the Regular Session, 41st Legislature, be and the same are hereby amended so as to hereafter read as follows:

"Chapter 221.

Section 1. It shall be unlawful for any person to take or attempt to take the pelt of any furbearing animal of this State at any time other than the open season provided therefor. The open season for taking pelts of furbearing animals shall be during the months of December and January of each year, except muskrats, the open season for which shall be from the 15th day of November to the 15th day of March, both days inclusive.

"Sec. 1a. No license shall be required of trappers where trapping is done in the county of the trapper's residence.

"Sec. 2. Any person who takes or attempts to take the pelt or pelts of any of the furbearing animals of this State for the purpose of barter or sale, before doing so shall procure a trapper's license. If the trapper has been a resident of this State for 12 months before applying for such license, he shall pay for such license the sum of One Dollar and ten cents (\$1.10) ten cents of which shall be retained by the officer issuing the license. If he has not been a resident of this State for 12 months prior to applying for such license, he shall pay for a non-resident trapper's license the sum of Twenty-five (\$25.00) Dollars. Such licenses shall be issued by the Game, Fish and Oyster Commission and shall be available on and after September 1st of each year, and shall

expire August 31st of the following year. All trappers' licenses shall have blanks for the name of the trapper, his place of residence, age, height, weight, color of eyes and color of hair.

"Sec. 3. That there be and is hereby levied a tax of one cent on each pelt taken from a furbearing animal, except pelts of raccoons and mink, the tax for which shall be five cents on each pelt, which tax shall be payable as herein provided.

"Sec. 4. It shall be the duty of the Game, Fish and Oyster Commission to provide suitable tags to be attached to the pelts of furbearing animals, as a receipt for the tax which has been paid thereon. Such tags shall be available on and after September 1st of each year and shall be valid until August 31st of the year following. Tags shall be printed with the words "State of Texas—fur tax received 1 cent" and "State of Texas—fur tax received 5 cents" and shall show date of expiration, have a blank for trapper's license number and dealer's license number. The Game, Fish and Oyster Commission, or its authorized agents, shall issue to all licensed trappers and dealers tax receipt tags upon payment of the amounts for which such receipts are issued.

"Sec. 5. It shall be the duty of the trapper to attach to the pelt of each furbearing animal taken by him a tax receipt tag as described herein for the amount of tax due on such pelts before such pelt may be shipped, bartered, sold or offered for sale, and providing that all pelts held by a trapper for the purpose of sale shall be tagged within 5 days after the close of the open season for taking such pelts. It shall be unlawful for any dealer to purchase a pelt which does not bear a tax receipt tag. Providing, however, that dealers may receive pelts in this State when shipped from points outside of this State, but that they shall be required to place on each such pelt immediately after receiving same a tax receipt tag for the amount of tax due on such pelt.

"Sec. 6. Any person, firm or corporation, except the trapper selling his own catch, who barter, buys, offers to barter, offers to buy, sells or offers for sale the pelt or pelts

of any furbearing animal protected by the laws of this State, before engaging in such business in this State, shall procure a license as a dealer from the Game, Fish and Oyster Commission or its authorized agents by the payment of the sum of Five Dollars and (\$5.50) fifty cents, fifty cents of which shall be retained by the officer issuing such license, provided that such applicant has been a resident of this State for 12 months prior to the application for license or is a resident firm or corporation organized 12 months prior to such application. All others shall be non-residents and shall procure a non-resident dealer's license from the Game, Fish and Oyster Commission at Austin, Texas, by the payment of Fifty (\$50.00) Dollars for each such license. The provisions of this Act shall not apply to any person, firm or corporation which deals exclusively in pelts of furbearing animals trapped or killed without the State of Texas.

"Sec. 7. That every dealer as defined in this Act must file with the Game, Fish and Oyster Commission not later than the 10th day of each month a complete sworn report on printed forms furnished by the Game, Fish and Oyster Commission of the kind and number of pelts of furbearing animals purchased in this State and shipped out of this State during the preceding month. Provided that no report shall be required for those months during which no pelts are purchased in this State. And providing that those dealers who purchase pelts for manufacturing into a finished product in this State shall report by the 10th day of each month the number and kind of pelts purchased during the preceding month.

"Sec. 8. Any person who desires to raise and propagate any of the furbearing animals of this State for the purpose of sale before taking any of the furbearing animals of this State for such purpose shall apply to the Game, Fish and Oyster Commission at Austin, Texas, for a Propagation Permit for which he shall pay the sum of Five (\$5.00) Dollars, which Permit shall be available on and after the first day of September of each year and shall be valid until August 31st of the following year.

Any person holding a Propagation Permit may take and hold furbearing animals protected by the laws of this State, provided that such animals are taken during the period of time that it is lawful to do so, and provided that the pelts from such animals may not be taken at any time other than during the open season for taking such pelts. Any person who holds a Propagation Permit shall be required to file a report with the Game, Fish and Oyster Commission not later than the 16th day of March of each year, showing the number of each kind of furbearing animals held in captivity and giving the Commission the number of each kind of furbearing animal disposed of during the year previous.

"Sec. 9. The pelts of all furbearing animals of this State are declared to be and continue to be the property of this State until all taxes levied thereon are paid, receipts for such taxes are issued and attached to such pelts, and all regulations herein are followed, provided, however, that any pelts taken during the open season for the taking of such pelts shall not come within the provision of this Act, when they are held for personal use.

"Sec. 10. The Game, Fish and Oyster Commission and all Game and Fish Wardens in its employ are hereby directed to seize any and all pelts illegally taken or held by anyone and to hold them as evidence until after trial of the person or persons charged with illegally taking or holding of such pelt or pelts and if the defendant is found guilty of taking or possessing such pelt or pelts in violation of any provision of this Act, the pelt or pelts so seized as evidence shall be delivered to the office of the Game, Fish and Oyster Commission by the Game and Fish Warden and the Game, Fish and Oyster Commission is hereby directed to sell such pelt or pelts to the highest bidder.

"Sec. 11. It shall be unlawful for any person, firm or corporation to take, sell, offer for sale or buy or offer to buy the pelts of furbearing animals in this State for a period of twelve months after date of conviction. Any person, firm or corporation violating any of the provisions of this Act upon conviction shall be

fined in any sum not less than Ten (\$10.00) Dollars and not more than One Hundred (\$100.00) Dollars.

"Sec. 12. All monies collected from taxes, licenses, fines, sale of confiscated pelts and penalties for violation of this Act shall be deposited with the Treasurer of this State during the first week of each month and shall be credited to the Special Game Fund.

"Sec. 13. Provided that all laws or parts of laws in conflict herewith shall be and the same are hereby repealed, except that nothing herein shall repeal Chapter 68, Acts of the First Called Session of the Forty-first Legislature, protecting beaver and otter in this State and fox in certain sections of the State as specified therein. And provided that nothing herein shall repeal Chapter 22, Acts of the Second Called Session of the Forty-first Legislature, regulating the taking of furbearing animals in certain counties.

"Sec. 14. If any Section of this Act shall be held unconstitutional, it shall not affect any other Section of this Act and all Sections except the one that may be declared unconstitutional shall continue to be in full force and effect.

"Sec. 15. Provided that one-half ($\frac{1}{2}$) of the revenue derived under the provisions of this Bill shall be deposited by the Game, Fish and Oyster Commissioner of the State in the State Treasury for General Revenue purposes."

Sec. 2. The fact that the existing law would require the sale of pelts of furbearing animals to the possible detriment of the trapper and the fact that there is no adequate law regulating and protecting the fur industry of this State create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended and said Rule is hereby suspended and this Act shall take effect from and after the first day of September, A. D. 1930, and it is so enacted.

NINETEENTH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, March 18, 1930.

The Senate met at 10 o'clock

a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Beck. Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Parr:

S. B. No. 102, A bill to be entitled "An Act granting the consent of the Legislature of the State of Texas to O. F. Whittle of Miami, Florida, and Lester G. Seymour of Kenton, Ohio, their heirs and assigns, to construct, maintain and operate a toll bridge and causeway across the bay known as and called Laguna Madre, in Cameron County, Texas, from Point Isabel, Texas, to Padre Island; etc., and declaring an emergency."

Read first time and referred to Committee on State Affairs.

Senators Excused.

On motion of Senator Woodul, Senator Beck was excused for today and tomorrow on account of important business.

On motion of Senator Martin, Senator Setverson was excused for